

Message

From: Chemerys, Ruth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=908BE985D82A4AE4A7888D13AEDCEC9D-CHEMERYS, RUTH]
Sent: 12/8/2016 8:36:19 PM
To: Havard, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9350676809e8403994f1dfc2b7bfdcfe-JHAVARD]
CC: Monschein, Eric [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=110281a30e814820830c14fa5075ff90-EMonsche]; Lewicki, Chris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7688d5b97aa94ba6af2f38984d479b56-CLewicki]
Subject: RE: OR List - Draft Talking points per Jim's request

Here is a draft set of TPs for folks to review and massage.

Per the 2nd bullet, the letter does not say how many segments the Region is listing. I sent an email to Jill asking this, but haven't heard back.

I covered both the PA/PD as well as the OA public comment piece, but you could break into two parts if you want.

- EPA's Region 10 is partially approving and proposing to partially disapprove Oregon's 2012 303(d) list. The Region is approving OR's listing of 131 water quality limited segments (WQLSs) still requiring TMDLs.
- EPA has also determined that OR failed to consider all readily available data and information for water bodies of the state when developing Oregon's 2012 Section 303(d) list. Specifically, OR failed to consider data for a large number of pollutants in all except 2 basins. Thus, Therefore, EPA is disapproving OR's failure to list a large number of water quality limited segments. The Region also removed 11 segments added in error, and is disapproving 8 delistings and proposing to add these segments to Category 5. EPA will be accepting public comments on the proposed additions.
- EPA is also requesting public comment on various studies and information which show impacts to aquatic life off the OR coast. Specifically, EPA will be asking for public comment on how the data relates to OR's aquatic life criteria, in order to inform EPA's decision on whether the data demonstrate impairments.
- EPA has a significant amount of ocean acidification-related studies conducted in laboratories and hatcheries conducted prior to 2012. Most of these studies were collected outside Oregon state waters. However, there are also studies conducted in state waters or in adjacent coastal waters, and studies of aquatic life populations (pteropods) in those same waters. The aquatic life studies pertain to locations off the Oregon Coast, but outside state waters (3 nautical miles). Region 10 will be considering this data, but are seeking any other data or information within Oregon state waters.
- This action would be the first time in which EPA has requested public comment on specific studies related to ocean acidification in the context of a 303(d) listing decision.

Deliberative Process / Ex. 5

From: Havard, James
Sent: Thursday, December 08, 2016 2:25 PM
To: Chemerys, Ruth <Chemerys.Ruth@epa.gov>
Cc: Monschein, Eric <Monschein.Eric@epa.gov>; Lewicki, Chris <Lewicki.Chris@epa.gov>
Subject: OR List

Hi Ruth - Do you recollect whether we sent any TPs up on the OR list in the last few weeks? If so, can you forward? Thanks!